

MEMORANDUM

ATC
Agenda Item No. 2(C)

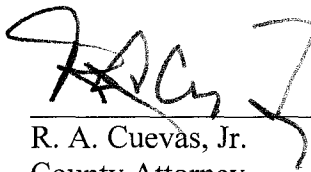
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 17, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance creating Aircraft
Noise Abatement Advisory
Committee for Miami
International Airport

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE
COUNTY

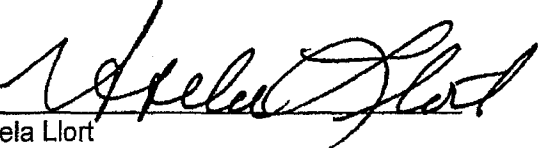
Date:

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance creating Aircraft Noise Abatement Advisory Committee for Miami
International Airport

The ordinance creating Aircraft Noise Abatement Advisory Committee for Miami International Airport will not have a fiscal impact to Miami-Dade County.


Ysela Llort
Assistant County Manager

fis01208



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 6, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 4(R)

Please note any items checked.

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | "4-Day Rule" ("3-Day Rule" for committees) applicable if raised |
| <input checked="" type="checkbox"/> | 6 weeks required between first reading and public hearing |
| <input type="checkbox"/> | 4 weeks notification to municipal officials required prior to public hearing |
| <input type="checkbox"/> | Decreases revenues or increases expenditures without balancing budget |
| <input type="checkbox"/> | Budget required |
| <input type="checkbox"/> | Statement of fiscal impact required |
| <input type="checkbox"/> | Bid waiver requiring County Manager's written recommendation |
| <input checked="" type="checkbox"/> | Ordinance creating a new board requires detailed County Manager's report for public hearing |
| <input type="checkbox"/> | Housekeeping item (no policy decision required) |
| <input type="checkbox"/> | No committee review |

Approved _____ Mayor

Agenda Item No. 4 (R)

Veto _____

11-06-07

Override _____

ORDINANCE NO. _____

ORDINANCE CREATING AIRCRAFT NOISE
ABATEMENT ADVISORY COMMITTEE FOR MIAMI
INTERNATIONAL AIRPORT; PROVIDING PURPOSE,
MEMBERSHIP, PROCEDURE, POWERS AND DUTIES,
STAFF; PROVIDING SEVERABILITY, INCLUSION IN
THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida, created an Aircraft Noise Abatement Task Force for Miami International Airport on July 8, 1997, pursuant to Resolution No. R-831-97; and

WHEREAS, the Aircraft Noise Abatement Task Force for Miami International Airport has sunset; and

WHEREAS, it is desirable to reconstitute the group as the Aircraft Noise Abatement Advisory Committee for MIA to evaluate and recommend noise abatement measures to reduce or mitigate noise impact on the areas affected by aircraft operations at Miami International Airport,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Creation.

There is hereby created an Aircraft Noise Abatement Advisory Committee for Miami International Airport (the "NAAC").

Section 2. Purpose.

The purpose of the NAAC is to discuss, evaluate and recommend to the Miami-Dade Aviation Department ("MDAD") alternatives to reduce or mitigate aircraft noise impact on the areas surrounding Miami International Airport ("MIA").

Section 3. Membership.

(a) *NAAC Members.* The NAAC shall consist of seventeen (17) members representing the areas with the greatest potential for noise impact from MIA. The members of the NAAC shall comply with the requirements of Section 2-11.38 of the Code of Miami-Dade County ("Code") and shall serve without compensation. Notwithstanding any provision in the Code to the contrary, the members shall be nominated in the following manner:

One (1) member shall be an employee or resident of County Commission District 6, and shall be nominated by the County Commissioner representing that District;

One (1) member shall be an employee or resident of the City of Miami, and shall be nominated by the Mayor of the City of Miami;

One (1) member shall be an employee or resident of the City of Miami Springs, and shall be nominated by the Mayor of the City of Miami Springs;

One (1) member shall be an employee or resident of the City of Doral, and shall be nominated by the Mayor of the City of Doral;

One (1) member shall be an employee or resident of the Village of Virginia Gardens, and shall be nominated by the Mayor of the Village of Virginia Gardens; and

One (1) member shall be an employee or resident of the City of Miami Beach, and shall be nominated by the Mayor of the City of Miami Beach;

Eleven (11) members shall be appointed by MDAD as follows: one (1) member representing West Miami; one (1) member representing Coral Gables; one (1) member representing Hialeah; one (1) member representing Morningside/NorthBay Village; one (1) member representing Grapeland Heights; one (1) member representing Fountainbleu/Sweetwater; one (1) member representing Overtown/Spring Gardens; one (1) member representing Key Biscayne; one (1) member representing Doral; one (1) member representing a cargo company conducting business at MIA; and one (1) member representing a passenger airline conducting business at MIA.

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Any member who ceases to meet the membership requirements set forth above shall immediately forfeit his or her office.

(b) *Term.* The members of the NAAC shall serve staggered terms of three (3) years each. Members nominated by the County Commissioner representing District 6, the Mayor of the City of Miami, the Mayor of the City of Miami Springs, the Mayor of the Village of Virginia Gardens, the Mayor of the City of Doral and the Mayor of the City of Miami Beach, and members appointed by MDAD from the communities of Coral Gables and Fountainbleu/Sweetwater shall serve an initial term of three (3) years. Members appointed by MDAD from the communities of West Miami, Hialeah, Morningside/NorthBay Village, Grapeland Heights, Overtown/Spring Gardens, Key Biscayne, Doral, and from the cargo airline and passenger airline, shall serve an initial term of two (2) years. Thereafter, all members will serve terms of three (3) years.

(c) *Vacancies.* Vacancies in the membership of the NAAC shall be filled in the same manner by which the original NAAC members were appointed and shall be filled within 45 days.

(d) *Removal from Office.* Notwithstanding any other provision of the Code, if any NAAC member is absent from two (2) consecutive NAAC meetings annually without an acceptable excuse, or from four (4) NAAC meetings annually without an acceptable excuse, the NAAC shall certify the same to MDAD.

Section 4. Procedure.

(a) *Executive Director.* An employee of MDAD shall serve as Executive Director of the NAAC.

(b) *Meetings.* A majority of the members, then in office, constitutes a quorum for the purpose of conducting business and exercising the powers of the NAAC and for all other purposes. Meetings of the NAAC shall be public and written minutes of the proceedings thereof shall be maintained. No vacancy in the membership of the NAAC

shall impair the right of a quorum to exercise the right to perform all the duties of the NAAC.

Section 5. Powers and Duties of the Board. The NAAC shall consider present and future noise impacts arising from operations at MIA. With the assistance of staff, the NAAC shall explore, consider and recommend programs and practices that may be helpful in reducing or mitigating noise impacts.

Section 6. Staff.

MDAD shall provide to the NAAC adequate staff and support services to enable the NAAC to carry out its purposes.

Section 7. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 8. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.


Section 9. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board of County Commissioners.

Section 10. Once effective, this ordinance shall repeal resolution R-831-97, creating an Aircraft Noise Abatement Task Force at MIA.

Section 11. This ordinance shall stand repealed five (5) years from its effective date unless extended by amendment of the Board of County Commissioners prior to such date.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature, possibly "DAR", written in dark ink over a horizontal line.

Prepared by:

Handwritten initials "CL" written in dark ink over a horizontal line.

Cynji Lee

Sponsored by Commissioner Rebeca Sosa